

### **REMARKS**

This paper includes a complete and timely response to the final Office Action mailed April 2, 2004 (Paper No. 7). Upon entry of the attached amendments, claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30 remain pending. Claims 4, 12, 13, 18, and 19 have been canceled via previous amendments. Claims 1, 20, 21, 26, 29, and 30 have been amended. The subject matter in amended claims 1, 20, 21, 26, 29, and 30 is included in FIGs. 1 - 3, 4A, 4B, 5, and 6 and described in the corresponding portions of the detailed description. Consequently, no new matter is added to the present application.

Applicants respectfully submit that pending claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30, as amended, are patentable over the cited art of record. Accordingly, reconsideration and allowance of the application and presently pending claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30 are respectfully requested.

Each rejection presented in the final Office Action mailed April 2, 2004 is discussed in the following remarks.

**I. Claim Rejections under 35 U.S.C. §102(b) - Claims 1, 3, 20 - 23, 25, 26, and 28 - 30**

**A. Statement of the Rejection**

Claims 1, 3, 20 - 23, 25, 26, and 28 - 30 presently stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by Conmy *et al.* (U.S. Patent No. 6,101,480, hereafter "Conmy.")

**B. Discussion of the Rejection**

**1. Claims 1 and 3**

Applicants respectfully submit that claim 1, as amended, is patentable for at least the reason that the cited reference fails to disclose, teach, or suggest each limitation in the amended claim.

It is well established that "anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 Fed 2d 1540, 220 U.S.P.Q. 303, 313 (Fed Cir 1983). The cited reference fails to meet the requirement of a single prior art reference that discloses, teaches, or suggests each feature of the claimed invention.

Claim 1 is directed to an electronic calendaring device. The calendaring device comprises “an interface configured to receive a calendar source list generated by a first party, the calendar source list comprising type, identification, and format source identifiers; a native format; a delivery format; and a delivery method ...” For at least the reason that *Conmy* does not disclose, teach, or suggest a calendar source list that comprises type, identification, and format source identifiers; a native format; a delivery format; and a delivery method, *Conmy* fails to anticipate Applicants’ claim 1.

In contrast with the presently claimed calendaring device, the system for scheduling time intervals for a plurality of users on a network apparently described in *Conmy* includes invitee addresses, invitee calendars, and profiles. *Conmy* accesses user profiles in response to a request by a meeting organizer that wants to schedule a meeting that should be attended by identified users. The accessed user profiles include information regarding available and unavailable time frames for each respective user. Invitee addresses, calendars, and profiles do not disclose, teach, or suggest a calendar source list that comprises type, identification, and format source identifiers; a native format; a delivery format; and a delivery method. Accordingly, *Conmy* does not anticipate Applicants’ independent claim 1.

Because independent claim 1 is allowable, dependent claim 3, which depends directly from claim 1, is also allowable for at least the same reasons as claim 1. *See In re Fine*, 837, F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 1 and 3 be withdrawn.

## **2. Claims 20 - 23, 25, 26, and 28 - 30**

Applicants respectfully submit that claims 20 - 23, 25, 26, and 28 - 30, as amended, are patentable for at least the reason that the cited reference fails to disclose, teach, or suggest each limitation in the amended claims.

Claim 20 is directed to a method for producing a personalized composite calendar from a first calendar and calendar information from at least one organization-of-interest to a party associated with the first calendar. The method comprises generating a calendar source list comprising type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a party. The source list further comprises a native format of the first calendar, a delivery format, and a delivery method. For at least the reason that *Conmy* does not disclose, teach, or suggest a calendar source list that comprises type, identification, and format identifiers associated

with a source made available by an organization-of-interest to a party, *Conmy* fails to anticipate Applicants' claim 20.

In contrast with the presently claimed method for producing a personalized composite calendar, the system for scheduling time intervals for a plurality of users on a network apparently described in *Conmy* retrieves availability information stored in user profiles and associated with invitees to a meeting.

*Conmy* does not create a composite calendar from a first calendar and calendar information from at least one organization-of-interest to a party. Furthermore, *Conmy* does not generate a calendar source list comprising type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a part. Moreover, *Conmy* does not generate a calendar source list that further comprises a native format of the first calendar, a delivery format, and a delivery method. For at least these reasons, *Conmy* does not anticipate Applicants' independent claim 20.

Because independent claim 20 is allowable, dependent claims 21 - 30, which depend either directly or indirectly from claim 20, are also allowable for at least the same reasons as claim 20. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 20 - 23, 25, 26, and 28 - 30 be withdrawn.

## **II. Claim Rejections under 35 U.S.C. §103(a) - Claims 2, 5 - 11, 14, 16, 17, 24, and 27**

### **A. Statement of the Rejections**

The Office Action indicates that claims 2, 5 - 8, 10, 11, and 14 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Conmy* in view of U.S. Patent Number 5,761,525 to Williams ("*Williams*.")

The Office Action further indicates that claims 9 and 27 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Conmy* and *Williams* and further in view of publication number US 2003/0004776 issued to Perella *et al.* ("*Perella*.")

The Office Action further indicates that claims 16, 17, and 24 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Conmy* in view of publication number US 2002/0093540 to Mariani *et al.* ("*Mariani*.")

**B. Discussion of the Rejections**

Applicants respectfully submit that claims 2, 5 - 11, 14, 16, 17, 24, and 27, as amended, are patentable for at least the reason that the cited references fail to disclose, teach, or suggest each limitation in the claims.

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). The proposed combination fails to suggest all features of the claimed invention.

Claims 2, 5 - 11, 14, 16, 17 depend directly or indirectly from Applicants' independent claim 1. As discussed above, claim 1 includes "an interface configured to receive a calendar source list generated by a first party, the calendar source list comprising type, identification, and format source identifiers, a native format, a delivery format, and a delivery method, wherein the source includes information compiled by an organization-of-interest to the first party." As discussed above, *Conmy* fails to disclose, teach, or suggest at least this element. The remaining references fail to remedy the failure of *Conmy* to disclose, teach, or suggest the Applicants' claimed interface. Accordingly, claims 2, 5 - 11, 14, 16, 17 are allowable over the proposed combinations and the rejections should be withdrawn.


Claims 24 and 27 depend directly or indirectly from Applicants' independent claim 20. As discussed above, claim 20 includes "generating a calendar source list comprising: type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a party; a native format of the first calendar; a delivery format; and a delivery method." As discussed above, *Conmy* fails to disclose, teach, or suggest at least this element. The remaining references fail to remedy the failure of *Conmy* to disclose, teach, or suggest the Applicants' claimed calendar source list. Accordingly, claims 24 and 27 are allowable over the proposed combinations and the rejections should be withdrawn.

**CONCLUSION**

In summary, Applicants respectfully request that all outstanding claim rejections be withdrawn. Applicants respectfully submit that all pending claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30 are allowable over the cited art and the present application is in condition for allowance. Accordingly, a Notice of Allowance is respectfully solicited. Should the Examiner have any comment regarding the Applicants' response or believe that a teleconference would expedite prosecution of the pending claims, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

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